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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,938	03/07/2001	Todor J. Fay	MS1-738US	3469
22801	7590	11/05/2004	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			ABEBE, DANIEL DEMELASH	
			ART UNIT	PAPER NUMBER
			2655	

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/801,938

Applicant(s)

FAY ET AL.

Examiner

Daniel D Abebe

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-71 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 17-23, 33-37, 42-48, 52-55, 70 and 71 is/are rejected.
- 7) ☒ Claim(s) 6-16, 24-32, 38-41, 49-51 and 56-69 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 17-23, 33-37, 42-48, 52-55 and 70-71 are rejected under 35 U.S.C. 102(b) as being anticipated by Burton et al. (5,902,947).

As to claim 1, Burton et al. teaches a method comprising:

Providing an audio rendition manager (music event processor, Fig2, 102) having audio data processing components and processor interface which includes an initialization method and process event, and an application program where said application program can specify which component the event processor to act upon including providing a component pointer to indicate which channel to be processed by the event processor (Figs.2-3; Col.5, line 20-Col.6, line 10).

As to claim 2, Burton teaches a component object pointer where its use is defined by the application program (Col.7, lines 19-25).

As to claim 3, Bruton teaches where the event processor is a component object with multiple interfaces callable by the application program (Col.5, lines 25-28).

As to claims 4-5 Burton teaches where the components each have one or more interfaces, and each interface has one or more methods. The interfaces and interface

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methods can be called by application programs and by other objects (Col.5, lines 20-28).

With respect to claims 17-19, Burton teaches computer-readable media comprising computer-executable instructions that, when executed, direct a computing system to perform the method (Fig.1).

As to claim 20, Burton teaches a method, comprising:

providing a performance supervisor (106) as an audio data processing component having an interface that is callable by an application program (108); the performance advisor initiating audio data processing components each component being initiated as a component object having an interface that is callable by the application program, wherein the audio data processing components include an audio content component that generates the audio data, and an audio event processor (110) to present the corresponding audio the audio content component receiving a request from the application program for a programming pointer corresponding to an interface of one of the audio data processing components; and the audio content component returning the requested programming reference to the application program (Col.5, line 20-Col.6, line 10).

As to claims 21-23, Burton teaches where a pointer of an object (a memory address) of a reference to the requested programming reference is called by the application program (Col.5, lines 20-28).

As to claim 33, Burton teaches a method, comprising:

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providing an audio rendition manager (event processor, 110) having audio data processing components to process audio data; requesting a pointer/address corresponding to an interface of one of the audio data processing components, the processor receiving the request and determining the component pointer for the A.P. (Col.6, lines 5-27).

As to claims 34-46, Burton teaches wherein a pointer of an object (a memory address) of a reference to the requested programming reference is called by the application program (Col.5, lines 20-28).

As to claim 37, Burton teaches component object interface where A music processing system comprises a performance supervisor that routes music events through a sequence of the processor data object by calling the process event methods of said processor data object (Col.5,902,947).

With respect to claims 42-44, Burton teaches computer-readable media comprising computer-executable instructions that, when executed, direct a computing system to perform the method (Fig.1).

Claims 45-48 and 52-55, 70-71 are analogous to the claims 1 and 20 which are addressed above and are rejected for the foregoing reasons by Burton.

Allowable Subject Matter

Claims 6-16, 24-32, 38-41, 49-51 and 56-69 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

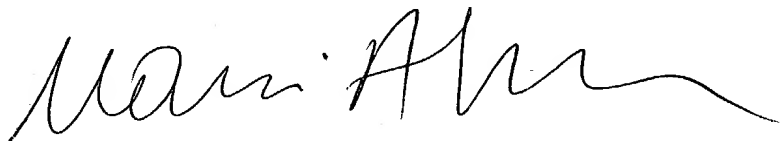
these claims are allowable, because, Burton doesn't teach the step of providing interface method search parameters as recited in the claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel D Abebe whose telephone number is 703-308-5543. The examiner can normally be reached on monday-friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703-305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel Abebe, Primary Examiner A.U. 2655

A handwritten signature in black ink, appearing to read 'Daniel Abebe', with a long horizontal flourish extending to the right.

November 1, 2004